

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ANYWHERECOMMERCE, INC. and BBPOS
LIMITED,

Plaintiffs,

v.

INGENICO INC., INGENICO CORP., and
INGENICO GROUP SA,

Defendants.

Civil Docket No: 1:19-cv-11457-IT

EXPEDITED REVIEW REQUESTED

**DEFENDANTS' (EMERGENCY) SECOND MOTION TO IMPOUND EXHIBITS
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 7.2 of the Local Rules of the United States District Court for the District of Massachusetts and the Stipulation and Protective Order entered in this action (Doc. 92), Defendants Ingenico Inc., Ingenico Corp., and Ingenico Group SA (collectively, "Defendants") hereby move to impound the documents listed in the attached **Exhibit A** that, Defendants are informed, Plaintiffs intend to file as exhibits to their Motion for Summary Judgment. Defendants respectfully move that these documents be impounded until further order of the Court.

The Stipulation and Protective Order in this action provides that a party producing documents may mark them as "Confidential" or "Highly Confidential – Attorneys' Eyes Only" based on a good faith belief that such materials are entitled to protection under Rule 26(c) of the Federal Rules of Civil Procedure. Doc. 92 ¶ 3(b). "No Party shall file Confidential Information with the Court until the Court determines whether such materials may be filed under impoundment or on the public docket." *Id.* ¶ 9(a). "[T]he Party seeking to maintain the confidentiality of the material shall promptly file a Motion to Impound Confidential Material . .

.” *Id.* Here, Defendants produced the documents at issue and seek to maintain their confidentiality.

The documents that Defendants marked as either Confidential or Highly Confidential are listed in the attached **Exhibit A**. These documents qualify for protection as Confidential or Highly Confidential under the Stipulation and Protective Order and should be impounded for the reasons listed in **Exhibit A**.

CONCLUSION

For the foregoing reasons, Defendants respectfully move that this Court impound the documents identified in the attached **Exhibit A**.

INGENICO INC., INGENICO CORP. AND
INGENICO GROUP, SA,

By their attorneys,

/s/ Jeffrey K. Techentin
JOHN A. TARANTINO (BBO #492230)
PATRICIA K. ROCHA (BBO #542348)
NICOLE J. BENJAMIN (BBO #666959)
JEFFREY K. TECHENTIN (*pro hac vice*)
Adler Pollock & Sheehan P.C.
One Citizens Plaza, 8th Floor
Providence, RI 02903
Tel: (401) 274-7200
Fax: (401) 351-4607
jtarantino@apslaw.com
procha@apslaw.com
nbenjamin@apslaw.com
jtechentin@apslaw.com
Dated: June 20, 2022

CERTIFICATE OF SERVICE

I hereby certify that on June 20, 2022, I caused to be served via electronic mail a true copy of the within document on the following counsel of record:

Jonathon D. Friedmann, Esq.
Robert P. Rudolph, Esq.
Rudolph Friedmann LLP
92 State Street
Boston, MA 02109
JFriedmann@rflawyers.com
RRudolph@rflawyers.com

Oliver D. Griffin, Esq.
Peter N. Kessler, Esq.
Melissa A. Bozeman, Esq.
Kutak Rock LLP
303 Peach Street, N.E., Suite 2750
Atlanta, GA 30308
Oliver.griffin@kutakrock.com
Peter.kessler@kutakrock.com
Melissa.bozeman@kutakrock.com

Ricardo G. Cedillo, Esq.
755 E. Mulberry Ave., Ste 500
San Antonio, Texas 78212
rcedillo@lawdcm.com

/s/ Jeffrey K. Techentin
Jeffrey K. Techentin

Rule 7.1(a)(2) Certification

I certify that counsel for Defendants have conferred with opposing counsel and attempted in good faith to resolve or narrow the issue. Plaintiffs would not assent to the relief sought, but the list of documents to be impounded was reduced.

/s/ Jeffrey K. Techentin